

MONDAY, MARCH 15, 2010

SIXTY-EIGHTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Reverend Glenn Forsee of First Assembly of God in Shelbyville, Tennessee, a guest of Senator Tracy.

PLEDGE OF ALLEGIANCE

Senator Tracy led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

COMMUNICATIONS

March 15, 2010

Lt. Gov Ramsey
1 Legislative Plaza
Nashville, TN 37243

Dear Mr. Speaker:

I respectfully request permission to be excused from the Senate Session today, March 15, 2010, due to illness.

Thank you for your consideration of this request.

Sincerely,

/s/ Tim Barnes
State Senator

APPROVED: Lieutenant Governor
Ron Ramsey

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March 15, 2010

The Honorable Ron Ramsey
Lieutenant Governor and Speaker of the Senate
One Legislative Plaza
Nashville, TN 37243

Dear Lieutenant Governor Ramsey:

This letter is to respectfully request your permission to be excused from the Senate Floor Session and legislative committee meetings on Monday, March 15, and on Tuesday, March 16, 2010.

I am a member of the presenting team for the Race to the Top application that the State of Tennessee has submitted to the United States Department of Education. I will be in Washington, DC, on these dates with Governor Phil Bredesen and the other members of our team.

Thank you for your kind consideration of this request.

Sincerely,

/s/ Jamie Woodson
Senate Speaker Pro Tempore

APPROVED: Lieutenant Governor
Ron Ramsey

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 3932 through 3935** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 3932 by Senator Johnson.

Franklin -- As introduced, subject to local approval, clarifies that the city shall have authority to grant franchises for public services to both residential and commercial users, regardless of zone; includes providers of telecommunications services or information services among those entities to which the requirements for the granting of such franchises applies. Amends Chapter 79 of the Acts of 1903; as amended.

Senate Bill No. 3933 by Senator Johnson.

Franklin -- As introduced, subject to local approval, requires that all transfers of appropriations be decided by ordinance rather than pursuant to mayoral authority; repeals provision in charter establishing duties of the treasurer. Amends Chapter 126 of the Private Acts of 1967.

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Senate Bill No. 3934 by Senator Johnson.

Franklin -- As introduced, subject to local approval, repeals charter provision requiring treasurer and all department heads to be appointed or confirmed by the board of mayor and aldermen; repeals charter provision vesting city judge with juvenile court jurisdiction concurrent with that of juvenile court judges of the state. Amends Chapter 79 of the Acts of 1903; as amended.

Senate Bill No. 3935 by Senator Gresham.

Middleton -- As introduced, subject to local approval, amends the charter to establish the corporate boundaries as those presently fixed by charter; reset the election of mayor and alderpersons from February in odd-numbered years to November every four years; extends the expiration of current terms from February 2011 to December 2012 to meet the November 2012 election. Amends Chapter 220 of the Private Acts of 1953; as amended.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 2593, 2609, 2611, 2614, 2615, 2698, 2769, 2870 and 3309** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 2593 -- Sunset Laws -- As introduced, extends board of examiners for architects and engineers, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 2, Part 2.

House Bill No. 2609 -- Sunset Laws -- As introduced, extends the private investigation and polygraph commission, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 26.

House Bill No. 2611 -- Sunset Laws -- As introduced, extends Tennessee auctioneer commission, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 19.

House Bill No. 2614 -- Sunset Laws -- As introduced, extends real estate appraiser commission, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 39.

House Bill No. 2615 -- Sunset Laws -- As introduced, extends private protective services advisory committee, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 35.

House Bill No. 2698 -- Child Custody and Support -- As introduced, restricts the modification of an existing residential schedule in a permanent parenting plan prior to a final hearing unless the parents agree to the modification or the court determines that such modification is in the best interest of the child. Amends TCA Title 36, Chapter 6, Part 4.

House Bill No. 2769 -- Evidence -- As introduced, provides that evidence obtained by use of radar device cannot be used in evidence in any judicial or administrative proceeding to prove speed of vehicle unless the operator was certified to properly use the device by a recognized organization in the field. Amends TCA Title 24, Chapter 7; Title 38, Chapter 8 and Title 55, Chapter 8.

House Bill No. 2870 -- Municipal Government - As enacted, authorizes municipalities that collect their own property taxes to accept partial payments of property taxes under certain conditions. Amends TCA Title 6, Chapter 56, Part 1.

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House Bill No. 3309 -- Aircraft and Airports -- As introduced, requires creation of regional airport authority when a majority of the local governments operating a regional airport commission recommend regional airport authority be created. Amends TCA Title 42, Chapter 3, Part 1.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 866 through 870**; and **Senate Resolution No. 205** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 866 by Senator Burchett.
Memorials, Retirement -- James Parks Hitch, Jr., M.D.

Senate Joint Resolution No. 867 by Senators Woodson and Burchett.
Memorials, Recognition -- Ijams Nature Center, 100th anniversary.

Senate Joint Resolution No. 868 by Senator Johnson.
Memorials, Recognition -- Battle Ground Academy, 121st anniversary, 75th anniversary of Tug of War.

Senate Joint Resolution No. 869 by Senator Tracy.
Naming and Designating -- Names Tennessee Career Center in Murfreesboro in honor of Harold Shackelford.

Senate Joint Resolution No. 870 by Senator Black.
Memorials, Public Service -- Reggie Mudd, Gallatin Chamber of Commerce Citizen of the Year.

Senate Resolution No. 205 by Senator Burchett.
Memorials, Retirement -- Dile Brown.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 884, 886 through 889, 891 through 894 and 905**; and **Senate Joint Resolutions Nos. 863 through 865** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 884 -- Naming and Designating -- "Deep-Vein Thrombosis Awareness Month", March 2010.

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The Speaker announced that he had referred House Joint Resolution No. 884 to the Committee on State and Local Government.

House Joint Resolution No. 886 -- Memorials, Personal Occasion -- William and Alva Lee, 50th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 886 to the Committee on Calendar.

House Joint Resolution No. 887 -- Memorials, Professional Achievement -- James and Scottie Robertson, 2009 Master Loggers of the Year.

The Speaker announced that he had referred House Joint Resolution No. 887 to the Committee on Calendar.

House Joint Resolution No. 888 -- Memorials, Recognition -- Sharon Keen, 2009 Outstanding Tree Farmer of the Year.

The Speaker announced that he had referred House Joint Resolution No. 888 to the Committee on Calendar.

House Joint Resolution No. 889 -- Memorials, Recognition -- Volunteer Energy Cooperative, 75th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 889 to the Committee on Calendar.

House Joint Resolution No. 891 -- Memorials, Retirement -- Ronald Lester Sharpe.

The Speaker announced that he had referred House Joint Resolution No. 891 to the Committee on Calendar.

House Joint Resolution No. 892 -- Memorials, Recognition -- Dr. Karen Bowyer, President of Dyersburg State Community College, 25 years.

The Speaker announced that he had referred House Joint Resolution No. 892 to the Committee on Calendar.

House Joint Resolution No. 893 -- Memorials, Death -- Clayton T. Davenport.

The Speaker announced that he had referred House Joint Resolution No. 893 to the Committee on Calendar.

House Joint Resolution No. 894 -- Memorials, Recognition -- Little Debbie Snack Cakes, 50th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 894 to the Committee on Calendar.

House Joint Resolution No. 905 -- Memorials, Recognition -- William Campbell Hilleary.

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The Speaker announced that he had referred House Joint Resolution No. 905 to the Committee on Calendar.

Senate Joint Resolution No. 863 -- Memorials, Recognition -- Joe Sexton.

The Speaker announced that he had referred Senate Joint Resolution No. 863 to the Committee on Calendar.

Senate Joint Resolution No. 864 -- Memorials, Recognition -- Bo Miles.

The Speaker announced that he had referred Senate Joint Resolution No. 864 to the Committee on Calendar.

Senate Joint Resolution No. 865 -- Memorials, Recognition -- Anthony Vervoordeldonk, Make-A-Wish child.

The Speaker announced that he had referred Senate Joint Resolution No. 865 to the Committee on Calendar.

MOTION

Senator Yager moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 905**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 905 -- Memorials, Recognition -- William Campbell Hilleary.

On motion of Senator Yager, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 905** was concurred in.

RECALL OF BILL

On motion of Senator Henry, **Senate Joint Resolution No. 764** was recalled from the Committee on Calendar.

REFERRAL OF BILL

Senator Henry moved that Senate Joint Resolution No. 764 be referred to the Committee on Transportation, which motion prevailed.

RECALL OF BILL

On motion of Senator Johnson, **Senate Bill No. 3814** was recalled from the Committee on Calendar.

REFERRAL OF BILL

Senator Johnson moved that Senate Bill No. 3814 be referred to the Committee on Commerce, Labor and Agriculture, which motion prevailed.

NOTICE

MESSAGE FROM THE HOUSE

March 11, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2501, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 838 -- Memorials, Academic Achievement -- Jonathon Smith, Salutatorian, Macon County High School.

Senate Joint Resolution No. 839 -- Memorials, Academic Achievement -- Elissa McLerran, Valedictorian, Clay County High School.

Senate Joint Resolution No. 840 -- Memorials, Academic Achievement -- Adam Copass, Salutatorian, Clay County High School.

Senate Joint Resolution No. 841 -- Memorials, Academic Achievement -- Richard Roberts, Salutatorian, Clay County High School.

Senate Joint Resolution No. 842 -- Memorials, Academic Achievement -- Simone Ilia, Valedictorian, Macon County High School.

Senate Joint Resolution No. 843 -- Memorials, Academic Achievement -- Lizzie Monroe, Valedictorian, Clay County High School.

Senate Joint Resolution No. 844 -- Memorials, Retirement -- Ron Brooks.

Senate Joint Resolution No. 845 -- Memorials, Retirement -- Linda K. Miller, Program Director, Operation: Safe Community; Executive Director, Memphis Shelby Crime Commission.

Senate Joint Resolution No. 846 -- Memorials, Public Service -- Louise Crowe.

Senate Joint Resolution No. 847 -- Memorials, Death -- Wallace Clifford Austin.

Senate Joint Resolution No. 848 -- Memorials, Death -- Chief Warrant Officer 2 Billie Jean Grinder, Tennessee Army National Guard.

Senate Joint Resolution No. 849 -- Memorials, Retirement -- Dr. James Noseworthy, President, Hiwassee College.

House Joint Resolution No. 874 -- Memorials, Recognition -- Ralph Stout.

House Joint Resolution No. 876 -- Memorials, Death -- James Luther Dickinson.

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House Joint Resolution No. 877 -- Memorials, Academic Achievement -- Kristen Waggoner, Valedictorian, William Blount High School.

House Joint Resolution No. 878 -- Memorials, Academic Achievement -- Richard "Brad" Farr, Salutatorian, William Blount High School.

House Joint Resolution No. 879 -- Memorials, Death -- Staff Sergeant Michael Wayne Tinsley.

House Joint Resolution No. 881 -- Memorials, Death -- Rayburn Carson Thacker.

House Joint Resolution No. 882 -- Memorials, Personal Achievement -- Jesse Alenjandro Newman, Eagle Scout.

House Joint Resolution No. 883 -- Memorials, Personal Achievement -- Lawrence Armstrong, Eagle Scout.

House Joint Resolution No. 885 -- Memorials, Death -- Rachel Escue.

House Joint Resolution No. 895 -- Memorials, Recognition -- Martha Bowser, 2010 Westmoreland Citizen of the Year.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Objections having been raised, the following bills were placed at the heel of the calendar for Wednesday, March 17, 2010, pursuant to Rule 38: **Senate Bills Nos. 2983 and 3296.**

Senate Bill No. 2031 -- Mental Illness -- As introduced, authorizes a releasing facility and qualified mental health professional to consult with certain additional adult family members in developing an outpatient treatment plan. Amends TCA Title 33.

On motion, Senate Bill No. 2031 was made to conform with **House Bill No. 1914.**

On motion, House Bill No. 1914, on same subject, was substituted for Senate Bill No. 2031.

Senate Bill No. 2712 -- Consumer Protection -- As introduced, prohibits the advertising, promotion, and sale of international driver's licenses; establishes that such practices and other

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related acts violate the Tennessee Consumer Protection Act; imposes certain civil penalties on such violations. Amends TCA Title 47.

Senate Bill No. 2792 -- Municipal Government -- As introduced, authorizes municipalities that collect their own property taxes to accept partial payments of property taxes under certain conditions. Amends TCA Title 6, Chapter 56, Part 1.

On motion, Senate Bill No. 2792 was made to conform with **House Bill No. 2870**.

On motion, House Bill No. 2870, on same subject, was substituted for Senate Bill No. 2792.

Senate Bill No. 2999 -- Adoption -- As introduced, abolishes the requirement to run a publication for an unknown father when there is no legal father at the time the adoption is filed, under certain circumstances. Amends TCA Section 36-1-117.

Senator Norris declared Rule 13 on **Senate Bill No. 2999**.

Senate Bill No. 3348 -- Taxes, Real Property -- As introduced, exempts from taxation of real property buildings on land owned by charitable institutions and developed for construction of residences for low-income households. Amends TCA Title 67, Chapter 5, Part 2.

Senate Bill No. 3860 -- Licenses -- As introduced, changes certain licensure requirements for motor vehicle sales, home inspectors, real estate brokers, and Class 4 and 5 liquid petroleum permit holders. Amends TCA Title 55, Chapter 17, Part 1; Title 62, Chapter 6, Part 3; Title 62, Chapter 13, Part 3; Title 62, Chapter 43, Part 1 and Title 68, Chapter 135, Part 1.

On motion, Senate Bill No. 3860 was made to conform with **House Bill No. 3849**.

On motion, House Bill No. 3849, on same subject, was substituted for Senate Bill No. 3860.

Senate Bill No. 3861 -- Cemeteries -- As introduced, revises certain requirements for appointing a receiver to manage a cemetery. Amends TCA Section 46-1-312.

On motion, Senate Bill No. 3861 was made to conform with **House Bill No. 3831**.

On motion, House Bill No. 3831, on same subject, was substituted for Senate Bill No. 3861.

Senate Joint Resolution No. 787 -- Naming and Designating -- "National Adoption Day", November 20, 2010.

Senate Joint Resolution No. 794 -- Naming and Designating -- Medical Education and Research Institute, Simulation Center of Excellence.

Senator Norris declared Rule 13 on **Senate Joint Resolution No. 794**.

Senate Resolution No. 187 -- General Assembly, Confirmation of Appointment -- Justice William C. Koch, TBI nominating commission.

Senate Resolution No. 188 -- General Assembly, Confirmation of Appointment -- Judge John D. Wooten, Jr., TBI nominating commission.

House Joint Resolution No. 733 -- Naming and Designating -- "Helping Hands and Linking Arms Day", April 24, 2010.

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House Joint Resolution No. 776 -- Naming and Designating -- "Certified Government Financial Manager Month", March 2010.

House Joint Resolution No. 842 -- Naming and Designating -- "FFA Week", February 20-27, 2010.

Senator Faulk moved that all Senate Joint Resolutions and Senate Resolutions be adopted; all House Joint Resolutions be concurred in; and all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

CALENDAR

Senate Joint Resolution No. 763 -- Constitutional Amendments -- Proposes an amendment to clarify the constitutional language that currently prohibits the levying of a tax on any class of income, other than income derived from stocks and bonds, and to prohibit any tax levied on or measured by employer payrolls.

Senator Kelsey moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

Thereupon, Mr. Speaker Ramsey declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 763** had been read.

Senator Kelsey moved that **Senate Joint Resolution No. 763** be placed on the Calendar for Thursday, March 18, 2010, which motion prevailed.

Senate Bill No. 1553 -- Physicians and Surgeons -- As introduced, removes prohibition on corporations employing certain licensed physicians. Amends TCA Title 63 and Title 68.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 of the bill as introduced and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-8-119, is amended by adding the following language to the end of subsection (b):

The board shall list on its Web site the organizations whose continuing education courses are deemed approved to meet the requirements of the board. The courses

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offered by these organizations shall be considered approved by the board and shall be available to optometrists as a means of satisfying their annual continuing education obligation, in addition to the continuing education courses which have been approved by the Council on Optometric Practitioner Education.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1553**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senate Bill No. 2561 -- Drugs -- As introduced, revises reporting requirements concerning persons obtaining or attempting to obtain controlled substances. Amends TCA Title 53, Chapter 11.

On motion, Senate Bill No. 2561 was made to conform with **House Bill No. 2581**.

On motion, House Bill No. 2581, on same subject, was substituted for Senate Bill No. 2561.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2581** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senator Stewart moved that **Senate Bill No. 2843** be placed on the Calendar for Wednesday, March 17, 2010, which motion prevailed.

Senate Bill No. 2607 -- Register of Deeds -- As introduced, authorizes revenue received by the Hamilton County register's office from data processing fees, above an amount necessary to purchase equipment and services, to be used for other purposes directly related to the official function of such office. Amends TCA Title 8, Chapter 21, Part 10.

Senator Ketron moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting subdivision (3) in its entirety and by substituting instead the following language:

(3) The provisions of this subsection (i) shall only be effective in any county to which this subsection applies upon the adoption of a resolution by a two-thirds (2/3) vote of the county legislative body of such county.

On motion, Amendment No. 1 was adopted.

Senator Ketron moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting subdivision (i)(1) in the amendatory language of Section 1 of the bill and substituting instead the following:

(i)(1) Notwithstanding any provision of this section or other law to the contrary, any revenue collected from data processing fees above an amount necessary to purchase computer equipment and software, upgrades to computer equipment and software, and supplies, maintenance and services relating to computer equipment and software by a register in any county having a population of:

<u>not less than:</u>	<u>nor more than:</u>
26,700	26,800
31,300	31,400
69,400	69,500
182,000	182,100
307,800	307,900

according to the 2000 federal census or any subsequent federal census, may be utilized for other purposes directly related to the official function of such office.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 2607**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Burks moved that **Senate Bill No. 3019** be placed on the Calendar for Thursday, March 18, 2010, which motion prevailed.

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Senate Joint Resolution No. 822 -- General Assembly, Confirmation of Appointment -- John Ross, State Forestry Commission.

On motion, Senate Joint Resolution No. 822 was made to conform with **House Joint Resolution No. 832**.

On motion, House Joint Resolution No. 832, on same subject, was substituted for Senate Joint Resolution No. 822.

House Joint Resolution No. 832 was concurred in by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Joint Resolution No. 823 -- General Assembly, Confirmation of Appointment -- Paul Trianosky, State Forestry Commission.

On motion, Senate Joint Resolution No. 823 was made to conform with **House Joint Resolution No. 834**.

On motion, House Joint Resolution No. 834, on same subject, was substituted for Senate Joint Resolution No. 823.

House Joint Resolution No. 834 was concurred in by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Joint Resolution No. 821 -- General Assembly, Confirmation of Appointment -- James W. Reeves, State Forestry Commission.

On motion, Senate Joint Resolution No. 821 was made to conform with **House Joint Resolution No. 833**.

On motion, House Joint Resolution No. 833, on same subject, was substituted for Senate Joint Resolution No. 821.

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House Joint Resolution No. 833 was concurred in by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Jackson moved that **Senate Bill No. 2391** be placed on the Calendar for Monday, April 5, 2010, which motion prevailed.

Senator Southerland moved that **Senate Bill No. 2403** be placed on the Calendar for Thursday, March 18, 2010, which motion prevailed.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2410 -- Grainger County -- As introduced, exempts firefighters located within the unincorporated area of Grainger County and any municipality located within Grainger County from the minimum training requirements unless the governing body of a municipality or the county adopts a resolution to apply such requirements within their respective jurisdictional boundaries. Amends TCA Section 4-24-112.

HOUSE AMENDMENT NO. 1

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 4-24-112(g), is amended by adding the following language as a new subdivision (3):

(3) Notwithstanding any other provision of law to the contrary, if a firefighter located in a county or a municipality located within a county to which this act applies is exempt from meeting the minimum training requirements established pursuant to this section, then the pay supplement authorized pursuant to § 4-24-202 for firefighters completing the in-service training course shall not be available to such a firefighter unless the firefighter meets the minimum training requirements established pursuant to this section.

Senator Faulk moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2410**, which motion prevailed by the following vote:

Ayes	30
Noes	0

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Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 3

AMEND by deleting the following language from the bill as amended:

SECTION ____ Tennessee Code Annotated, Section 4-24-112(g)(1), is amended by inserting the figure "29,460" under the column heading "not less than" below the figure "29,400" under such heading, and by inserting the figure "29,550" under the column heading "nor more than" below the figure "29,450" under such heading.

Senator Faulk moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 2410**, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

MOTION

Senator Beavers moved that Rule 83(8) be suspended for the purpose of placing **Senate Resolution No. 204** on the calendar for the Committee on Judiciary for Tuesday, March 16, 2010, which motion prevailed.

RECALL OF BILL

On motion of Senator Kyle, **Senate Bill No. 3733** was recalled from the Committee on State and Local Government.

WITHDRAWAL OF BILL

On motion of Senator Kyle, Senate Bill No. 3733 was withdrawn from the Senate.

MOTION

On motion of Senators Tate, Herron, Marrero, Ford, Norris, Kelsey and Faulk, their names were added as sponsors of **Senate Joint Resolution No. 845**.

On motion of Senators Beavers, Berke, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Joint Resolution No. 848**.

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On motion of Senator Overbey, his name was added as sponsor of **Senate Joint Resolution No. 849**.

On motion of Senators Crowe, Tracy and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 874**.

On motion of Senators Marrero, Tate, Ford, Kesley, Norris and Herron, their names were added as sponsors of **House Joint Resolution No. 876**.

On motion of Senators Gresham, Herron and Finney, their names were added as sponsors of **House Joint Resolution No. 879**.

On motion of Senator Faulk, his name was added as sponsor of **House Joint Resolution No. 881**.

On motion of Senators Black and Tracy, their names were added as sponsors of **House Joint Resolution No. 895**.

On motion of Senators Burks and Marrero, their names were added as sponsors of **Senate Bill No. 2031**.

On motion of Senator Marrero, her name was added as sponsor of **Senate Bills Nos. 2712, 2983, 3348 and 3861**.

On motion of Senators Finney and Marrero, their names were added as sponsors of **Senate Bill No. 2999**.

On motion of Senators Overbey, Burks, Stewart, Finney, Marrero and Watson, their names were added as sponsors of **Senate Joint Resolution No. 787**.

On motion of Senators Ford, Marrero and Kyle, their names were added as sponsors of **Senate Joint Resolution No. 794**.

On motion of Senators Crowe and McNally, their names were added as sponsors of **Senate Resolution No. 188**.

On motion of Senators Henry, McNally, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Finney, Ford, Gresham, Harper, Haynes, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson and Yager, their names were added as sponsors of **Senate Resolution No. 187**.

On motion of Senator Watson, his name was added as sponsor of **House Joint Resolution No. 733**.

On motion of Senator Crowe, his name was added as sponsor of **House Joint Resolution No. 776**.

On motion of Senators Burks, Stewart, Black, Berke, Crowe, Herron, Gresham, Norris, Finney, Marrero and McNally, their names were added as sponsors of **House Joint Resolution No. 842**.

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On motion of Senators Southerland, Black and Marrero, their names were added as sponsors of **Senate Bill No. 2561**.

On motion of Senators Black, Bunch, Tracy and Yager, their names were added as sponsors of **Senate Bill No. 2391**.

On motion of Senator Tracy, his name was added as sponsor of **Senate Bill No. 2403**.

On motion of Senators Yager, McNally and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 905**.

On motion of Senator Gresham, her name was added as sponsor of **Senate Bill No. 2782**.

On motion of Senator Norris, his name was added as sponsor of **Senate Bills Nos. 1093, 1095 and 3431; and Senate Joint Resolution No. 822**.

On motion of Senator Beavers, her name was added as sponsor of **Senate Bill No. 3177**.

On motion of Senator Black, her name was added as sponsor of **Senate Bill No. 3812; and Senate Joint Resolutions Nos. 838, 839, 840, 841 and 843**.

On motion of Senator McNally, his name was added as sponsor of **Senate Bill No. 3474**.

On motion of Senator Harper, her name was added as sponsor of **Senate Bill No. 508**.

ENGROSSED BILLS

March 15, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 1553, 2607, 2712, 2999 and 3348; and Senate Joint Resolutions Nos. 787, 794, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848 and 849; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 15, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2870, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 16, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 187, 1016, 2455, 2457, 2461, 2462, 2479, 2592, 2594, 2598, 2602, 2606, 2610, 2612, 2618, 2620, 2712, 2859, 2862,

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3007, 3044, 3139, 3203, 3280, 3469, 3491, 3610, 3635, 3638, 3660, 3793, 3810, 3830 and 3836; passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 16, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 746, 763, 896, 897, 898, 899, 900, 901, 902, 903 and 904; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 15, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2420, 2422, 2423, 2435, 2437, 2438, 2439, 2442, 2446, 2448, 2450, 2452, 2454, 2460, 2470, 2556, 2803, 2836, 2950, 2952, 2953, 2954, 3130, 3131, 3512, 3713 and 3840; substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 15, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3553, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 15, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 705, 711, 830, 832, 833, 835 and 837; concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

March 16, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 2410, 2420, 2422, 2423, 2435, 2437, 2438, 2439, 2442, 2446, 2448, 2450, 2452, 2454, 2460, 2470, 2556, 2803, 2836, 2950, 2952, 2953, 2954, 3130, 3131, 3512, 3553, 3713 and 3840; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

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ENROLLED BILLS

March 16, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 705, 711, 830, 832, 833, 835 and 837; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

March 16, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolutions Nos. 187 and 188, and find same correctly enrolled and ready for the signature of the Speaker.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 15, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2500 and 2669, for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 16, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1914, 2581, 2870, 3354, 3831 and 3849; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 16, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 733, 776, 832, 833, 834 and 842; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

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MESSAGE FROM THE HOUSE

March 16, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 874, 876, 877, 878, 879, 881, 882, 883, 885, 895 and 905; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

March 15, 2010

The Speaker announced that he had signed the following: Senate Bills Nos. 2425 and 2427; and House Bills Nos. 2500 and 2669.

SIGNED

March 16, 2010

The Speaker announced that he had signed the following: Senate Bill No. 2846.

SIGNED

March 16, 2010

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 705, 711, 830, 832, 833, 835 and 837.

SIGNED

March 16, 2010

The Speaker announced that he had signed the following: Senate Resolutions Nos. 187 and 188.

SIGNED

March 16, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 733, 776, 832, 833, 834 and 842.

SIGNED

March 16, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 874, 876, 877, 878, 879, 881, 882, 883, 885, 895 and 905.

MESSAGE FROM THE HOUSE

March 15, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2425 and 2427, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MONDAY, MARCH 15, 2010 -- 68TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

March 16, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2846, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

March 16, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 705, 711, 830, 832, 833, 835 and 837; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 16, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 2425 and 2427, for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 16, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 705, 711, 830, 832, 833, 835 and 837; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

March 16, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 817, 818, 819, 820, 824, 825, 826, 827, 828 and 829; with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, March 17, 2010: Senate Joint Resolutions Nos. 851, 852, 853, 854, 855, 856, 857, 858, 859, 861 and 862; and Senate Resolution No. 203.

This the 15th day of March, 2010.
MIKE FAULK, Chairperson.

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**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, March 17, 2010: Senate Bill No. 3834; and Senate Joint Resolution No. 865.

This the 15th day of March, 2010.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 18, 2010: Senate Joint Resolutions Nos. 863 and 864; and House Joint Resolutions Nos. 886, 887, 888, 889, 891, 892, 893 and 894.

This the 16th day of March, 2010.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 18, 2010: Senate Bills Nos. 2493, 2550, 3474 and 3871; and House Joint Resolution No. 752.

This the 16th day of March, 2010.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, March 17, 2010: Senate Joint Resolution No. 763; and Senate Bills Nos. 3579, 3904, 135, 2850, 2860, 3602, 2871, 3245, 2466, 3203 and 3430.

This the 15th day of March, 2010.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 18, 2010: Senate Joint Resolution No. 763; Senate Bills Nos. 2180, 2894, 2923, 2975, 3666, 3671 and 3854; Senate Resolution No. 200; and Senate Bills Nos. 2403 and 3019.

This the 16th day of March, 2010.
MIKE FAULK, Chairperson.

MONDAY, MARCH 15, 2010 -- 68TH LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bill and it has been set on the Message Calendar for Wednesday, March 17, 2010: Senate Bill No. 2501.

This the 15th day of March, 2010.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 8:30 a.m., Wednesday, March 17, 2010, which motion prevailed.